

September 4, 2009



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 11263
(TENTH REVISION)

| |
|--------------------------------|
| EXPIRATION DATE: July 31, 2011 |
|--------------------------------|

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Members of the American Coke and Coal Chemicals Institute as individual Grantees on file with the Office of Hazardous Materials Special Permits and Approvals
Washington, DC
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of solid coal tar pitch compounds, Class 9, in open-top and closed-top sift-proof metal cans or fiber drums. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.213(c) in that non-DOT specification single packagings are authorized.

5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's August 14, 2009, *Policy Statement for Special Permits and Approvals Issued to Members of an Industry Association*.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|--|---------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Environmentally hazardous substances, solid, n.o.s. (Solid coal tar pitch compounds) | 9 | UN3077 | III |

7. SAFETY CONTROL MEASURES:
- a. PACKAGING - Packaging prescribed is:
- (1) A non-DOT specification sift-proof, non-bulk, metal can, with or without a lid; or
 - (2) A non-DOT specification sift-proof, non-bulk, fiber drum, with or without a lid. The drum must be fabricated with a three ply wall as a minimum.
- b. OPERATIONAL CONTROLS - The coal tar pitch compound must be in a solid mass during transportation.
8. SPECIAL PROVISIONS:
- a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.
- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

September 4, 2009

- c. MARKING - Each metal can and fiber drum must be marked "DOT-SP 11263" in letters and numbers at least one-half inch high on a contrasting background.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS: None required as part of this special permit.
11. Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: DBURGER/dl